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THE LIFE & SERVICES OF MATTHEW LYON.

AN ADDRESS

PRONOUNCED OCTOBER 29, 1858,

BEFORE THE

VERMONT HISTORICAL SOCIETY,

IN THE PRESENCE OF

THE GENERAL ASSEMBLY OF VERMONT ;

BY

PLINY H. WHITE.

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THE LIFE & SERVICES OF MATTHEW LYON.

MR. PRESIDENT AND GENTLEMEN :

It seems to me in accordance with the purposes which the Vermont Historical Society has in view, that the simple discourse, annually delivered in its presence, should be devoted to rescuing from oblivion some latent facts belonging to the history of our State, rather than to any general discussion of the value of historical studies, or to a reproduction of historical narratives with which the public is already familiar, or has easy means of becoming familiar. To exhume one fact from the grave of forgetfulness, to unclothe it from the garments of exaggeration with which tradition has invested it, or to fix with certainty a single unauthenticated date, is more serviceable to you than any amount of declamation, however eloquent, can possibly be. Nor do I conceive it an unprofitable task to record any fact, however trivial or unimportant it may appear to be. The ultimate value of events is almost never apparent, either to him who transacts them, or to him who first puts them on record. It was well said by Franklin that a new fact is like a new-born child, the future importance and destiny of which it is impossible to predict. Looking back through a series of years, the scholar can see that the whole current of history has often been turned by a single expression or incident, so trifling as hardly to attract attention at the time of its occurrence. On the other hand, many events that have engaged the regard of nations, have, in lapse of time, almost vanished from the recollection of men, and have left no abiding impression upon the History of the World. The apparent greatness or smallness of events is no index of their real

value. Great and small are, in history, as every where else, words of mere outward description, and not of adequate measurement.

Thus much by way of explanation why I have selected as my subject, on this occasion, the life of an individual, who, though almost forgotten by the present generation, once occupied as conspicuous a position in the eyes of the State and of the Nation as any Vermonter, however eminent, now does ; and who, for that reason, if there were no other, deserves the attention of the Vermont Historical Society. He was not learned, he possessed no extraordinary powers of mind, and he had to struggle with unusually adverse circumstances ; yet by his strong will, his fiery energy, and his unconquerable perseverance, he made himself felt in whatever sphere of activity he exerted himself. Sixty years ago, he might have said to any man in Vermont—" not to know me argues yourself unknown ;" and not to know him and his career would, indeed, have then implied gross ignorance of politics and politicians. But so evanescent is political reputation, that when I mention his name it will be a strange one to many of you !

The early settlers of Vermont were a peculiar people ; peculiar because the condition of things was so. For many years, the whole territory was the theater of wars, conducted with all those atrocities which have made the name of Indian a synonym for everything inhuman and cruel. When it ceased to be occupied by the aborigines, it became a thoroughfare, through which they passed, on their way to assail the settlements in New Hampshire and Massachusetts. At a still later period, it was the route by which the French and Indians went to commit their depredations on the frontiers. For these reasons, a residence in Vermont was long regarded as dangerous and, indeed, impracticable ; and although beginnings were made at various points, it was not till Canada was completely wrested from the French, (A.D. 1760,) that permanent settlements became possible. Even then, the uncertain political condition of the territory stood in the way of its being rapidly populated. Men hesitated at living where they knew not of what State they were citizens, whether of New Hampshire or of New York. But this same uncertainty made the country more attractive to certain classes of men, the rough, the bold, the restless, the adventurous, who could find, in the excitements of border skirmishing and of political agitations, just the kind of happiness which their natures craved. Such men as these were the

early settlers of Vermont, attracted to it by the very things which repelled less energetic men from it. Ethan Allen was the type of that class, and to it belonged Remember Baker, Azariah Wright, and hosts of others with whose names every Vermonter is familiar. To it also belonged a young, ardent, combative, rough-and-ready Irishman—MATTHEW LYON, of whom and of whose doings it is my purpose to discourse on this occasion.

Lyon, was a native of Wicklow County, Ireland, where he was born about 1746. His parents were poor, and his father died while Matthew was a mere boy. He was, however, sent to school at Dublin, where he made good proficiency, and not only acquired the elements of an English education, but obtained a respectable knowledge of Latin. The straitened circumstances of the family forbade that he should pursue his studies further, and he was apprenticed to a printer and book-binder, in Dublin, to learn those trades. Here he remained till he was thirteen years old, when he was induced to abandon both his master and his mother, by the representations of an American Sea-captain, who assured him that his knowledge of business could be turned to great account in this country. He was delighted with the brilliant prospects presented to his imagination; but there was a violent struggle between obligation and filial affection on the one hand, and inclination on the other; a struggle which, in after life, he was wont to describe with much feeling. Inclination at length triumphed, and stealing into his mother's chamber, in the gray of the morning, where she still slept, he took a lingering farewell look, dropped a silent tear, and, gathering hastily what little clothing he had, and with not a penny in his pocket, he hurried to the ship which was soon bearing him to a new and unknown land. During the passage, he was attacked by violent sickness, and was delirious for many days. On his recovery, he found himself destitute even of so much clothing as was needful to supply the place of that which his disease had rendered unfit for further use; and his necessities were supplied from the scanty wardrobes of some abandoned women, who were his fellow passengers, and who, true to the kindly instincts which inhere in womanly nature, even when most depraved, had tenderly ministered to him in his sickness when all others deserted him, and now, out of their own deep poverty, supplied his yet greater need.

In the early history of emigration to America, it was quite customary, for those who had no means of defraying the expenses of their passage, to make an arrangement with the ship-owner, by virtue of which they were, on arrival, indentured to any person who would pay their passage, and were thus held to labor till they had earned the amount advanced for them. These passengers were called "redemptioners." Such an arrangement as this had been made between Lyon and the Captain, and he was accordingly indentured, as soon as might be after his arrival. After remaining for a while with his first master, the remainder of his apprenticeship was assigned to another person, the consideration of the transfer being a yoke of stags. This little incident, infected as it was with just the kind of ludicrousness which was most appreciable by our forefathers, was the basis of many a pleasant joke, as well as of many a bitter taunt, during his subsequent career. He himself was never ashamed of it, rightly judging that the humbler were the circumstances of his early life, the more to his credit it was that, by force of his own ability and energy, he had risen to positions of high honor and great influence. In truth, he was rather fond of referring to this event, and, for many years, his favorite oath was: "by the bulls that redeemed me!" But there were not a few whose ignoble minds looked rather at the original abasement than at the subsequent eminence, and they made no end of scoffs and jeers at what they deemed the irreparable disgrace of being sold for a pair of stags. The political wits and witlings of his time were never weary of ringing the changes upon it. He respected himself too highly to be offended at such sorry jests, but his children had many a hard bout of fisticuffs with other children, who bantered them on that subject.

Hugh Hanna, of Litchfield, Ct., and Jesse Leavenworth, afterwards one of the founders of Danville, Vt., were the holders of Lyon's indentures, but which of them was prior in possession is not known.

Neither record nor tradition bears witness to any other facts in Lyon's early life. His high expectations were certainly disappointed, for the next that we hear of him he was a laborer in the employ of Thomas Chittenden, of Arlington, Vt., afterwards Governor of the State. In the meantime, he had married a woman by the name of Hosford, by whom he had four children, Anna, James, Pamela and Laurin. She died, and he afterwards married his employer's daugh-

ter, Beulah. Those who remember the shock experienced in New York, two years ago, when the daughter of a Fifth Avenue gentleman married her father's coachman, may suppose that Gov. Chittenden felt disgraced by his daughter's alliance with an Irish laborer. But the line of demarcation, between master and servant, was not at all rigidly drawn, in Chittenden's day, and he was the last man to be suspected of any other than the most democratic notions in that regard. A well authenticated anecdote illustrates the manner in which his domestic arrangements were ordered. Some high-born ladies from the city of Albany, who were visiting at the Governor's, were greatly astonished, when the hour of dinner arrived, to see Mrs. Chittenden step to the door and, with a long tin horn, wind a sonorous blast, summoning from the field a number of laborers, who, having performed all due ablutions, were seated at the same table with the Governor and his guests. When opportunity offered, some of the ladies asked Mrs. Chittenden if the servants usually sat at the table with the family. The quick-witted woman detected the insinuation that lurked in the question, and answered, "They usually do, but I have been telling the Governor we ought to set a table for them first, they have to work so much harder than we do." Lyon's marriage was approved by all the parties in interest, nor was it in reality an unequal match. The bride, governor's daughter though she was, was not more refined than the groom, perhaps not so much so. She was coarse and masculine in her manners, but intelligent, warm hearted, and noted for the prompt benevolence with which she ministered to the sick and needy. She bore him four children, Chittenden, Minerva, Matthew and Noah, lived with him nearly or quite half a century, and survived him a few years.

Lyon's first appearance in public life was not such as to secure popular approbation, or to augur favorably for his future career. In the summer of 1776, he was lieutenant of a corps of soldiers commanded by Capt. Fassett, and belonging to the Northern Army, under the command of Gen. Gates. This corps was stationed at Jericho, far in advance of the main army, and exposed to the first attack of the British force under Sir Guy Carlton. The officers and men alike became uneasy at occupying so dangerous a position, without support, and though the officers were unwilling to incur the disgrace of abandoning their post, some of them did not scruple to suggest to

the soldiers, that if they should mutiny and march off, the officers would be under no obligation to remain. The soldiers were not slow to take the hint, or to leave the position, nor did the officers long delay to follow. They insisted that Lyon should convey to Gen. Gates, at Ticonderoga, the tidings of the abandonment; which he did. The intelligence was received with great indignation by the whole army, and when Lyon was introduced into the presence of Gen. Gates, the rough old soldier damned him for a coward, and ordered him under arrest. He palliated his offence as much as possible, by casting the chief burden of blame upon the commanding officer, and he insisted that, so far from advising to the flight, he had opposed it to the last, and yielded only because he was overruled. But this did not avail him. He and his associate officers were tried by court-martial, and cashiered. This was an unfortunate affair for Lyon, and although in July of the following year, he was technically restored to his standing in the army, and received from Gen. Schuyler the appointment of temporary paymaster, the stigma which attaches to a cashiered soldier followed and annoyed him for many years. It barbed the point of many a poetical squib, and added a sting to many a political leader, in those days of fierce and virulent partizanship which characterized the early history of federalism and democracy. It gave him the title of "Knight of the Wooden Sword," exposed him to frequent insults, and at length involved him in a disgraceful brawl on the floor of Congress. It is hardly to be believed that Lyon was a coward. Lack of physical courage is not a defect of Irish nature, and Lyon showed, in his subsequent career, that he did not differ from his countrymen in readiness to fight, upon reasonable provocation thereto. It is certain that his reputation in Vermont was not impaired by this misadventure. During the controversy between Vermont and New York, he joined the troops of his adopted State, soon received the captaincy of a company, and rose by regular gradations to the rank of colonel.

He commenced his career as a civilian in quite subordinate positions. In 1778, he was Deputy Secretary to the Governor and Council, Thomas Chandler, Jr., being his principal in the office. At the same time he was Clerk of the Court of Confiscation, an anomalous tribunal, originally extemporized by the Council of Safety, but continued under the authority of the Legislature, and invested with the extra-

ordinary power of ordering the confiscation and sale of the estates "of the enemies of this State, living within the State, who distinguished themselves by repairing to the enemy, or other treasonable conduct." He continued in the last named office till 1780, and perhaps till a later period. In 1785, the Council of Censors required that he should deliver the records of the Court to their order, which, for some reason, he declined to do. The Council thereupon passed a resolution recommending that he should be impeached before the Governor and Council, and requesting the General Assembly to appoint some one to prosecute the impeachment to immediate effect. This was accordingly done, and he was ordered to deliver up the record, or, in default thereof, to pay a fine of five hundred dollars. This proceeding was in Lyon's absence, but upon his appearance, a rehearing was ordered, and as no records of any further proceedings are to be found, it is probable that the prosecution was discontinued.

In 1779, Lyon made his first appearance in the General Assembly of Vermont, as a Representative from Arlington. That he was one of the two chosen to succeed Thomas Chittenden and Ethan Allen in that office, is evidence of the high regard in which he was held for ability and patriotism. The State had but just begun its existence, under the Constitution of 1777. Only one Legislature had been elected, by which the Constitution was sanctioned, and a code of laws promulgated. Those laws required to be revised, and the defects which experience had pointed out, to be remedied. The political affairs of the State were also in such a condition as to require the exercise of all possible prudence, discretion and firmness. Vermont had but just freed itself from an entangling alliance with sixteen towns East of Connecticut River; and New Hampshire, having regained what unquestionably belonged to it, was pressing its claim to jurisdiction over the whole of its original grants; while Massachusetts and New York, though unable to make good their pretensions, were making what my lord Coke calls "continual claim," wherein he "who hath title to enter into any lands, if he dares not enter into the same lands for doubt of beating, or for doubt of death, goeth as near to the tenements as he dare for such doubt, and by word claimeth the land to be his;" and the Congress of the United States, not siding with either one of the rival claimants, strengthened the hands of them all, by declaring its own intention

to hear, examine, and finally determine, all the matters in controversy.

To be one of sixty men charged with such mighty affairs as these, was a great honor and involved a great responsibility. What part Lyon took in the debates and other proceedings of the Legislature of 1779, the meager records of those days do not allow us to know. That he was an active member is unquestionable. His restless temperament would not permit him to be otherwise, even if he had not been brought up in the school of Allen and Chittenden, and did not represent the town in which they lived. His re-election, for the three following years, is sufficient proof that his course was satisfactory to his constituents.

While the Legislature was in session at Westminster, early in 1780, an affray took place between Lyon and Nathaniel Chipman, afterwards Judge Chipman, which might have been a tragedy, if a fortunate thought had not turned it into a comedy. Chipman had been appointed by the Legislature to investigate certain proceedings of the Court of Confiscation, and in his report he made some statements at which Lyon took offence. They met at the office of Hon. Stephen R. Bradley, and, entering into conversation on the report, Lyon remarked, with some irritation, that no man having a spark of honesty in him could have made such a report. Chipman passionately retorted by calling him an ignorant Irish puppy; whereupon Lyon rose angrily and grasped Chipman by the hair. Chipman had a knife in his hand, with which he was mending a pen, and his first impulse was to use the knife in self defence; but, in the meantime, Mr. Bradley had seized Lyon from behind around the arms, and was drawing him back, while he, bracing himself against Mr. Bradley, was kicking at Chipman over the table. Dropping his knife, Chipman caught Lyon by the feet, and with the aid of Mr. Bradley, carried him across the office, and deposited him flat on his back in the corner, where, with a hearty laugh by all the actors, the scene closed.

The question of receiving again, as a part of Vermont, the sixteen New Hampshire towns, whose annexation in 1778 had occasioned so much trouble, with nearly twenty others, which now desired to unite with them, came up before the Legislature of 1780; and thirty-five towns East of Connecticut River, having, in the

exercise of their popular sovereignty, voted to connect themselves with Vermont, and a large majority of the Vermont towns voted to receive them, the union was consummated at an adjourned session of the Legislature, at Windsor, on the 5th day of April, 1781. Mr. Lyon, Stephen R. Bradley, of Westminster, and Ebenezer Walbridge, of Bennington, were appointed a committee to wait upon the Convention of Representatives of the New Hampshire towns, then in session at Cornish, N. H., inform them that the union was agreed to, and invite them to take seats in the Assembly. This was accomplished on the next day. The attention of the Legislature was then turned towards a similar union, proposed by ten towns on the Western border of New York, and Mr. Lyon and Samuel Wells, of Brattleboro', were appointed a committee to join a committee from the Council in preparing a plan of union; after which the Legislature adjourned, to meet at Bennington on the 2nd Wednesday of June. It was then voted to receive the New York towns, and Mr. Lyon, with Samuel Robinson, of Bennington, and Edward Harris, of Halifax, constituted a committee to wait upon the members elect from those towns, and inform them that the Assembly was ready to receive them. How Mr. Lyon voted in regard of these filibustering proceedings, there is no record of yeas and nays to inform us, but his appointment on so many committees is sufficient assurance that he was in favor of extending the area of Vermont jurisdiction as widely as possible.

In 1781, Mr. Lyon again represented Arlington in the Legislature, which held its session at Charlestown in the "East Union," now Charlestown N. H. The government of New Hampshire did not relish this invasion of their territory, and sent a "Major Runnals," with two hundred men, for the purpose, as was supposed, of ejecting the intruders. It was kindly suggested to him that, if he had any such design, he would need a few more men, and he deemed it prudent, on the whole, not to attempt any interruption of the proceedings. The chief object of attention with this Legislature, and with that of 1782, in which Mr. Lyon again, and for the last time, represented Arlington, was the negotiations with Congress for the admission of Vermont into the Union. What action the Legislature took, from time to time, in that regard, it would be easy here to narrate, but what share Lyon had in furtherance of that action, it is impossible now to determine.

In 1783, Mr. Lyon removed from Arlington to Fairhaven, a town in which the population was very scanty, and no organization took place till August 28th, 1783. Here, he at once took the foremost position, in business and in politics. He was, in fact, the father of the town. He built a saw mill, grist mill, paper mill and forge, and engaged largely in the manufacture of lumber, paper and iron. Much of his machinery was brought, with great labor and expense, from Lenox, Mass. All the branches of business that he established at Fairhaven, have been continued till the present time, upon the identical sites selected by him, though the lapse of years has rendered necessary several renovations of the buildings. To complete, in this connection what is to be said of his business career in Fairhaven,—in 1793, he established a printing office in the same building with his paper mill, and commenced the publication of a small-sized newspaper, called "The Farmer's Library." It was edited partly by himself and his son James, and partly by the printer, one Spooner. This was the most hazardous of his enterprises, for in a country so new and so scantily populated, there could be but small demand for newspapers. There were then only three other papers in the State: the Gazette, at Bennington, the Herald, at Rutland, and the Journal, at Windsor. The Library was published three or four years, during a part of which time it bore the name of the "Fairhaven Gazette." Several books were issued from Lyon's press, among which were a Life of Franklin, and a novel, entitled: "Alphonso and Dalinda." In 1798, when he was running as candidate for Congress, and the Rutland Herald, then edited by Dr. Samuel Williams, refused to publish communications in his favor, he established a semi-monthly Magazine, with the sonorous title of "The Scourge of Aristocracy and Repository of Important Political Truths." It was a duodecimo of thirty-six pages, nominally edited and published by James Lyon, but containing much from the pen of the Colonel himself. The first number bore date October 1st, 1798, and the publication was continued for only a single year, which, considering that the price was \$3, per annum, was quite as long as it could reasonably be expected to survive.

Lyon was the first representative from Fairhaven, in 1783, and held the same office for ten of the succeeding fourteen years. His whole term of service in the Legislature of Vermont, was fifteen years. In 1786, he was one of the Assistant Judges of Rutland County Court.

Vermont was admitted into the Union, March 4th, 1791, and in the summer of the same year, Lyon became a candidate for Congress as "the representative of the commercial, agricultural, and manufacturing interests, in preference to any of their law characters." His rivals were Israel Smith and Isaac Tichenor. At the election, in August, Lyon had a fair plurality, but not a majority, (Lyon, 597; Smith, 513; Tichenor, 473.) Tichenor having withdrawn from the canvass before the second election, in September, Smith was then elected, by a majority of 391 over Lyon. In January, 1793, Lyon was again a candidate for Congress, Tichenor, Smith, and Samuel Hitchcock being his competitors. No choice was effected at the first trial, (Smith, 834; Lyon, 638; Tichenor, 336; Hitchcock, 79.) It is evidence that Lyon was most popular where he was best known, that in Fairhaven and four adjoining towns, he had 355 of the 376 votes cast. At the second balloting, March 4th, Mr. Smith was re-elected. Lyon continued to be a candidate at each succeeding election, and polled a constantly increasing vote. In December, 1794, the first attempt at election failed, as on previous occasions; and at the second trial, on the second Thursday of February, 1795, Lyon and Smith being the only candidates, Smith received the meagre majority of 21, in an aggregate of nearly 3,600 votes, (Smith, 1,804; Lyon, 1,783.) Defective proceedings, in the towns of Hancock and Kingston, encouraged Lyon to contest the election, but without success. In 1796, he was again, and for the fourth time, a candidate, and at last a successful one.

When Lyon entered the House of Representatives, neither party could be said to have a clear majority, and it depended upon the course taken by a few wavering individuals, whether the policy of the House should be democratic or federal. But the decided tone of the President's Message, backed by a strong majority in the Senate, confirmed the doubtful members, and made the House federal enough for all practical purposes. Lyon's debut, as a speaker, took place, (Nov. 24th, 1797,) during the debate on the answer to the Message. In those days, it was usual for Congress to reply to the Message, and echo back its sentiments, if they were acceptable to the majority. A reply, sufficiently in accordance with the doctrines of the Message, having been adopted, Lyon made a long speech, denouncing the practice of making such responses as inconvenient and ridiculous, as well

as slavish and anti-republican, a waste of time, and a delay of public business. He took occasion to set forth, at considerable length, his own services in the cause of democracy, and concluded with a motion that he personally might be excused from complying with the customary attendance, on the presentation of the reply. The speech was not very well received by either party. The democrats took offence at his apparent disposition to exalt himself in the party, and the federalists regarded his proposition with contemptuous indifference. Mr. Dana, of Connecticut, remarked that the company of the gentleman from Vermont was not particularly desirable, and expressed a hope that he might unanimously be allowed to absent himself, and leave was unanimously granted. At the second session of the same Congress, when the response of the House to the Message was somewhat general and ambiguous, he renewed his motion to be excused from a personal waiting on the President; but this time the motion was voted down by a large majority.

On the 30th of January, 1798, a war of words took place between Mr. Lyon and the Hon. Roger Griswold, of Connecticut, the result of which was a personal encounter on the floor of Congress; the first one in the series of such affrays that have, from time to time, disgusted or shocked the nation. The House had voted to impeach William Blount, (formerly Governor of the Territory South of the Ohio,) for misconduct while in office, and the tellers were engaged in counting the ballots for managers of the impeachment, the Speaker having left the Chair, and many members their seats, as was not unusual on such occasions, though the House remained in session. The Speaker and several members of the House, among whom were Mr. Lyon and the Hon. Samuel W. Dana, of Connecticut, gathered around the fire and engaged in conversation. Between Lyon and Dana, the conversation soon degenerated into dispute, respecting the effect of an amendment to a certain bill, which had recently been under discussion. Lyon declared that the Representatives, from Connecticut, would every one of them lose their re-election if they voted against the amendment, and said other things of an irritating nature, to which Dana replied in the same style. The Speaker here interposed, saying, "Gentlemen, keep yourselves cool; if you proceed much further, you will want seconds." Lyon then addressed himself to the Speaker,

and, in allusion to Dana's fiery temper, said that he had in his own mind designated the mission to Cayenne as an appropriate one for the member from Connecticut. A brief and pleasant conversation ensued, after which, Lyon resumed his animadversions upon the conduct of the Connecticut delegation. He declared that they were acting in direct opposition to the wishes and opinions of nine-tenths of their constituents, that they were seeking their own interests regardless of the public good, that they were looking for offices, not holding it material whether the salaries annexed were nine thousand dollars, or one thousand, and that he well knew the people of Connecticut, as he had to fight them in his own District.

Mr. Griswold, who sat near, asked if he had fought them with his wooden sword, alluding to a report that a wooden sword had been presented him, when he was cashiered at Ticonderoga. Lyon, not hearing the question, or affecting not to hear it, continued his remarks to the Speaker, and said that when the Connecticut people came into his district, on visits to their relations, they came with strong prejudices against him and his politics, but after conversing with them freely he could always bring them to his side, and that if he could go into Connecticut, and talk with them there, he could effect an entire change in the politics of the State. Griswold, then laying his hand upon Lyon's arm to secure his attention, said, "If you were to go into Connecticut for the purpose you mention, you could not alter the opinion of the meanest hostler." Lyon replied that he knew better, that if he were to remove there, and conduct a paper for six months, he could effect a revolution, and induce the people to turn out all their present representatives. Griswold then said, "When you go into Connecticut, you had better take with you your wooden sword." To this, Lyon made no other reply than by spitting in Griswold's face, who thereupon stepped back, clenched his fist, and was about to take immediate revenge for the insult; but his colleague interposed, and reminded him that another time and place were more appropriate for the settlement of the affair. He and his colleague then left the house.

As soon as the matter then in hand was disposed of, a resolution was introduced into the House, to expel Mr Lyon "for a

gross indecency committed in the presence of the House." This was vehemently opposed by the democrats, headed by Nicholas and Gallatin. Parties were so nearly equal in the House, that the loss of a single man was a serious misfortune to his party, and though it was not possible to excuse the act, there was ground for a plausible argument that the House should not take cognizance of what was done while it was in such a disorderly condition. This was urged very strongly, but at length the resolution was referred to the Committee of Privileges, with instructions to report the facts and their opinion thereon. While the investigation was going on, Lyon addressed a letter to the Speaker, declaring that he was ignorant of the House being in session, and expressing his regret that he unwittingly transgressed its privileges. On the 2nd of February, the Committee made a report, recommending the adoption of the resolution of expulsion. This gave rise to a smart debate, in which Lyon participated, defending himself as having only answered one insult by another, and giving a detailed statement of the affair at Jericho, all the blame of which he threw upon the chief officer. A motion to substitute reprimand for expulsion was lost, by a vote of 44 to 52, and the resolution of expulsion was adopted, by a corresponding vote of 52 to 44; but as a vote of two thirds was necessary to expel a member, Lyon retained his seat.

Griswold, not satisfied with this result, determined to take his revenge with his own hands. On the 20th of February, having provided himself with a heavy hickory cane, (perhaps it would be inexcusable in me as an antiquarian, if I should omit to mention that he bought it of one John McAllaster, 48 Chesnut St., Philadelphia,) he assailed Lyon while in his seat in the House. Morning prayer had been offered, but the House was not called to order, and members were occupied in reading, writing, or conversation. Lyon was in his seat, engaged with papers, and having a small cane leaning against his chair. He did not notice Griswold's approach in season to meet him, but while still in his seat Griswold struck him violently on the head, repeating the blows as rapidly as possible, so that several blows were inflicted before he could put himself in position for defence. In the meantime, he was disengaging himself as best he might from the desk and chair that embarrassed his movements, endeavoring to regain his cane, which

he was unable to do, by reason of the number and violence of the blows that were rained upon his head and shoulders. Having at length extricated himself, he rushed towards his assailant, and endeavored to close with him; but Griswold retreated, pushing him off with the left hand, and continuing to ply the cane, till the parties came into the vicinity of the fire place, where Lyon possessed himself of a pair of tongs, and went into the affray with fresh hope and courage. The combatants soon closed, and in the contest, Griswold got the better of Lyon, threw him on the floor and fell upon him. By this time, some of the other members began to think it expedient to interfere. Some were for parting the combatants, others for letting them finish the fight; but at length Mr. Haven and Mr. Elmendorf seized each a leg of Griswold and dragged him off. All this while the Speaker forbore to call the House to order, and interfered only to remonstrate with those who attempted to withdraw Griswold from the fray. The similarity of some of the circumstances of the assault to those which, two years ago, attended the murderous attack of Brooks upon Sumner, is so marked that it is hardly necessary to call attention to it. A resolution to expel both Griswold and Lyon for this misconduct, was negatived by a vote of 73 to 21, and a resolution to censure was also lost.

This brawl furnished a copious theme for the wits and satirists of those days, and they availed themselves of it without stint. Not to protract this discourse to an unreasonable length, only a few citations will be made. In the "Echo," a volume of political poems, H. H. Breckenridge comments upon the pretensions of John Woods, a candidate for Congress from Western Pennsylvania, in 1798, as follows:

" And yet perhaps, from news arrived of late,
Of Griswold's breaking Lyon's leaden pate,
John Woods may think, for empty is his head,
The cudgel's force of sense will stand instead,
This would be true, if in Creation's round,
Another Matthew Lyon could be found,
Blows in that case would take the place of words,
And reason yield the palm to wooden swords "

In the same volume, in the "Versification of a Letter from a Political Character in Philadelphia, to his Friend in Connecticut," there is another allusion to the same affair:—

" These Federalists, too, are an insolent race,
They won't e'en permit us to spit in their face.
In Congress, behold, a great Lyon appears,
Imported from Ireland and purchased with steers;

He just took the license on Griswold to squirt
 A stream of mundungus, not thinking of hurt,
 When, lo! the fierce Yankee flew into a passion,
 And gave the bog-trotter a notable thrashing,
 The King of the Beasts most lustily roared,
 At his army acquaintance, the old wooden sword.
 No Christian, I'm sure's this Connecticut shaver,
 He ought not to 've grumbled, but swallowed the slaver,
 The Testament says you must turn t'other cheek,
 And not go to using the hickory stick."

A long passage, on the same subject, also occurs in the "Political Greenhouse, for the year 1798," and Fessenden devoted several pages of "The Jeffersoniad" to Lyon and his career.

The scene also furnished the subject of a caricature, roughly executed on wood, with the title "Congressional Pugilists," and the motto, probably taken from a song of those days:—

"He in a trice struck Lyon thrice,
 Upon his head, enrag'd, sir,
 Who seized the tongs to ease his wrongs,
 And Griswold thus engag'd, sir."

Jonathan Among those who are represented, as surrounding the combatants, are *Con* Joshua Dayton, of New Jersey, the Speaker, Jonathan W. Cady, of Philadelphia, the Clerk, and the Rev. Dr. Ashbel Green, the Chaplain. All the spectators are much interested, and some of them highly enjoying the scene. If Lyon's face was half as homely as this picture represents it, there would be good foundation for Fessenden's verse, in "The Dagon of Democracy:—"

"No commandment you break,
 Though an idol you make
 Of the ugly old democrat, seeing
 That nothing at all, Sirs,
 Flies, walks, swims, or crawls, Sirs,
 In the likeness of such an odd being."

But as the caricature came from the hands of Lyon's enemies, it may well be presumed that the comeliness of his face was not less marred by the graver of the artist, than by the cane of the representative from Connecticut.

The democrats were not inactive in the same kind of warfare, and they did their best, with song and satire, to turn the tide of ridicule upon their opponents. Griswold received the title of "Knight of the *rheum-full* countenance," which clung to him for a long time.

On the 4th of July, 1798, a law of the United States went into operation, enacting that any person who should write, or publish, or cause to be written or published, or assist in writing or publishing, any

words calumniating the Government of the United States, or either House of Congress, or the President of the United States, or any words calculated to bring either of them into disrepute, or to stir up sedition in the country, should be punished by a fine not exceeding two thousand dollars, and be imprisoned not more than two years. This was the famous "sedition law," which, while the government designed it as a shield to protect itself against the fierce assaults of its enemies, proved to be one of the sharpest swords with which they encountered and, at last, slew it. Lyon was one of the earliest sufferers by this law.

A short time previous to the passing of the law, a violent attack on Lyon was made, by the Vermont Journal, and was copied by several of the federal papers in Philadelphia. He was not the man to submit to an assault without making a vigorous defence, to say no more. He accordingly addressed a letter to the Editor of the Journal, who published it in that paper, (July 31st, 1798,) as it was intended he should. Some paragraphs in this letter were apparently within the scope of the "sedition law," and there was no lack of enemies to put the law into action. At a term of the Circuit Court of the United States, held at Rutland, Oct. 3rd, 1798, an indictment in three counts was found against him by the grand jury. The principal count was founded upon the following passage in his letter to the Vermont Journal :—

"As to the Executive, when I shall see the efforts of that power bent on the promotion of the comfort, the happiness, and the accommodation of the people, that Executive shall have my zealous and uniform support. But whenever I shall, on the part of the Executive, see every consideration of public welfare swallowed up in a continual grasp for power, in an unbounded thirst for ridiculous pomp, foolish adulation, or selfish avarice; when I shall behold men of real merit daily turned out of office, for no other cause but independency of spirit; when I shall see men of firmness, merit, years, abilities, and experience, discarded, in their applications for office, for fear they possess that independence, and men of meanness preferred, for the ease with which they can take up and advocate opinions, the consequences of which they know but little of; when I shall see the sacred name of religion employed as a state engine to make mankind hate and persecute each other, I shall not be their humble advocate."

A very well balanced period, surely, and by no means deficient in point and vigor; yet, there is hardly a political writer in our day who does not, every week, write a great deal which is much more worthy than that of being called "scurrilous, scandalous, malicious, and defamatory." Lyon was also charged with procuring the publication of a "Letter from an American diplomatic character to a member of Congress in Philadelphia," said to have been written by Joel Barlow, the famous poet and politician, to Abraham Baldwin, and containing, with other seditious matter, the following passage:—

"The misunderstanding between the two Governments, (meaning the Governments of the United States and France,) have become extremely alarming; confidence is completely destroyed; mistrust, jealousy, and a disposition to a wrong attribution of motives, are so apparent, as to require the utmost caution in every word and action that are to come from your Executive,—I mean, if your object is to avoid hostilities. Had this truth been understood with you, before the recall of Monroe, before the coming and second coming of Pinkney, had it guided the pens that wrote the bullying speech of your President, and stupid answer of your Senate, at the opening of Congress, in November last, I should probably have had no occasion to address you this letter; but, when we found him borrowing the language of Edmund Burke, and telling the world that although he should succeed in treating with the French, there was no dependence to be placed on any of their engagements, that their religion and morality were at an end, that they had turned pirates and plunderers, and it would be necessary to be perpetually armed against them, though you are at peace, we wondered the answer of both Houses, had not been an order to send him to a mad-house. Instead of this, the Senate have echoed the speech with more servility than ever George the Third experienced from either House of Parliament."

The indictment was taken up for trial, on the sixth of October, and was prosecuted with great vigor, not to say venom. Hon. William Patterson, of the Supreme Court of the United States, and Hon. Samuel Hitchcock, District Judge for the District of Vermont, constituted the Court, both of them strong Federalists, as were also the District Attorney and the Marshal. Lyon could expect no leniency from such a Court, and always insisted that there was gross unfairness in the selection of the jury, and the instructions given them on trial.

He had a substantial ground of defence, in the fact, that the letter to the Vermont Journal was written, and dispatched by mail, on the 20th of June, fourteen days before the passage of the "sedition law," which could only be made to reach his case by an *ex post facto* operation. He conducted his own defence, and denied that he had any complicity whatever with the publication of Barlow's letter, but insisted that, on the contrary, he had endeavored to suppress it, by destroying whatever copies came to his possession. But none of his defences availed him. Judge Patterson charged strongly against him, and in language which savored much more of political warmth than of judicial dignity. Lyon was convicted, and sentenced to four months imprisonment, and to pay a fine of one thousand dollars, with costs of persecution, taxed at \$60.96.

By the law, as it then was, a prisoner of the United States might be committed to any jail in the State, at the discretion of the Marshal. Instead of availing himself of the jail at Rutland, the Marshal, Jabez G. Fitch, of Vergennes, conveyed his prisoner to that place, where he could have a more immediate oversight of him, and committed him to close jail, treating him with great and unnecessary rigor. He was denied the use of writing materials, and was not allowed a fire in his cell, though the cold of October and November was very severe. He was at length told that he could not be warmed at the public expense, but that there was a small stove near at hand, which he might buy for \$18, and make himself comfortable. To this extortion he declined to submit, and his friends at Fairhaven sent him a stove from that place. For some months, he was not allowed to see the friends who sought to alleviate his condition by visiting him. When this restriction was removed, all visitors were required to record their names, that they might be reported to the Marshal. Lyon's friends offered to give bail, to the amount of \$100,000, that if he were allowed a comfortable room in the jailer's house, he should make no attempt to escape; but this favor was refused. He addressed a letter to Gen. Stevens T. Mason, Senator from Virginia, giving him an account of his persecutions and sufferings; in reply to which Gen. Mason proposed that, inasmuch as those sufferings were in the common cause of republicanism, and the fine was the only part of them in which others could participate, that should be paid by a common subscription among the enemies of political persecution. The money, however,

was not forthcoming, and as the expiration of his imprisonment approached. Lyon, unable to procure funds in any other way, purchased a grant of a lottery, and issued proposals for the sale of tickets, offering as the prizes, houses, lands, and other property, which he wished to dispose of. The experiment was successful, and he realized all that he needed for the payment of his fine and costs, and a surplus of \$3,000.

His term of imprisonment expired Feb. 9th, 1799, at 8 A. M. In the meantime, he had been re-elected to Congress. His principal competitors, at that election, were Dr. Samuel Williams and Daniel Chipman. At the trial, in September, 1798, he lacked 26 votes of an election, (Lyon, 3,482; Williams, 1,544; Chipman, 1,370; Abel Spencer, 268; Israel Smith, 226; Seat, 99;) but, at a second attempt, he was elected by a majority of more than 500. His enemies had made preparations to have him re-arrested, as soon as he was discharged from jail; but no sooner had the Marshal opened the prison doors, and announced to him that he was free, than he shouted, "I am on my way to Philadelphia," and, stepping out, started at once on his journey. Congress had been in session some months, and his privilege as a member, secured him from arrest on mesne process.

His release was the occasion of great joy to his adherents, and his journey towards Philadelphia was a triumphal march. A great concourse of people accompanied him on his way, with the American flag at the head of the procession; and as they passed along, the inhabitants of the towns on the line of march assembled numerously to greet him. Even children partook of the spirit of the occasion. As he passed a schoolhouse, in Tinmouth, the children were paraded at the road-side, and one of them offered the following sentiment: "This day satisfies federal vengeance. Our brave representative, who has been suffering for us under an unjust sentence, and the tyranny of a detested understrapper of despotism, this day rises superior to despotism." Following this with three cheers for "The Victory of Liberty," they retired. On his arrival at Bennington, he was welcomed by a large assemblage of republicans, who greeted him with cheers, original songs, and a formal address, to which he briefly responded, and then pursued his journey.

He took his seat in Congress on the 20th of February, and on the same day, R. G. Harper offered a resolution for his expulsion, on the

ground that he had been "convicted of being a malicious and seditious person, of a depraved mind, and wicked and diabolical disposition, guilty of public libels against the President with intent to bring the government of the United States into contempt." This was carried by a vote of 49 to 45, but the two-thirds rule protected him in his seat.

During Lyon's last term in Congress, occurred the protracted contest, in the House of Representatives, which resulted in Jefferson's election to the Presidency, and Lyon had the satisfaction of casting the vote that terminated the struggle. Jefferson and Burr having each the same number of electoral votes, the duty of making an election was devolved upon the House of Representatives, voting by States. The Federalists had a decided majority of members, but could not command a majority of States; nor could their opponents do any better. On the first ballot, and for many successive ballottings, eight States voted for Jefferson, six for Burr, and two, Vermont and Maryland, were equally divided. Lewis R. Morris, Lyon's colleague in the House, voted for Burr, and Lyon himself for Jefferson. The public mind was in the highest degree agitated with the contest. The House remained in session, without formal adjournment, for seven successive days; and the excitement, both in and out of the House, rose to such a height as to render it absolutely necessary to the public welfare that the controversy should be ended, in one way or another. The Federalists, becoming convinced that it was impossible to elect Burr, reluctantly decided to allow Jefferson to be chosen. It was arranged that Mr. Morris should absent himself from the next balloting, which he accordingly did, and Lyon cast the vote of Vermont for Jefferson, given him the ninth State, that was needed to secure his election. He took considerable credit to himself for this vote; and it is said that, on a subsequent occasion, when some disagreement between himself and Jefferson took place, he exclaimed, with an oath, "I made him, and I can unmake him!"

When his term in Congress expired, he did not deem it expedient to return to Vermont to reside. So much of his time had been devoted to politics, that his business, once thriving and profitable, had run down, and he was on the verge of bankruptcy, if not actually insolvent. His enemies, moreover, were lying in wait for him with suits and prosecutions, which, whether finally

successful or not, would be a sore annoyance during their continuance. He therefore made a tour to the West and South, in search of a new home, passing through Virginia, Kentucky, Tennessee, and the North West Territory, and every where receiving marked civilities, public and private. He selected what is now Eddyville, in Lyon County, Kentucky, as the place of his future residence. Here, he removed a part of his family with some other Vermont families, which he had persuaded to emigrate, and commenced building the town; which having fairly started, he brought out the rest of his family and a number of other families. He engaged in business and politics, with his usual ardor. He established the first printing office in Kentucky, transporting the type, on horseback, across the Alleghanies. He engaged in merchandise and ship building, but in nothing so successfully as in politics. In 1802, he was elected to the Legislature of Kentucky, and in 1803 or 4, to the Congress of the United States, where he retained a seat, by repeated re-elections, till 1810. He was an active and influential member, and did his full share in dispatching business.

In 1812, he contracted, with the United States Government, to build certain sloops and gun-boats, for use in the war then pending. His ship-yard was on the Cumberland River, down which, and the Mississippi, the vessels were dispatched, to be delivered at New Orleans. Some of them were wrecked on the way, and the rest were not delivered within the contract time, so that the speculation proved disastrous. His other business had also suffered, through his devotion to politics, and he was, at length, obliged to make an assignment of his property, for the benefit of his creditors. His son, Chittenden Lyon, was the assignee, and he not only performed his duties as such with the strictest integrity, but advanced not less than \$28,000, (at that time, a large sum,) from his own resources, to supply the deficiency of his father's assets, in order that no reproach of unfulfilled pecuniary obligations might rest upon the family.

In 1820, Lyon applied to Congress for a refunding of the money he had paid, as fine and costs, on his prosecution, under the sedition law, and a compensation for his loss of time in jail, and detention from his seat in Congress, for 123 days. After some

delay, he succeeded in obtaining a committee's report in favor of compensating him for his pecuniary loss ; but the report was not adopted by Congress, and it was not till 1833, several years after his death, that the fine and costs were refunded to his heirs.

About the year 1820, he procured, from Mr. Monroe's Administration, an appointment as Factor of the United States with the Cherokee Indians, in Arkansas. That territory was then unorganized ; but not long after he entered on his duties as Factor, an organization took place, and he was elected the first delegate to Congress. He did not live, however, to take his seat under that election. His death occurred on the 1st of August, 1822, at Spadre Bluff, on the Arkansas River, near Little Rock, in the 76th year of his age. Nine years after, his remains were conveyed to Eddyville, and re-interred among his kindred.

His son, Chittenden Lyon, was one of the most popular and honored men in Kentucky. He was elected to the Legislature of Kentucky, as the representative of some who desired to erect a part of Cumberland County into a new county. In this movement he was successful, and the new county was named for him : Lyon County. Having served acceptably in both branches of the State Legislature, he was elected to Congress, where he held a seat for eight years, ending March, 1836. He then voluntarily retired from public service, and died in 1842, at the age of 56.

The distinguishing traits in Matthew Lyon's character were boldness, energy, perseverance, and a resolute will. No undertaking was too hazardous for him to enter upon, no obstacle too great for him to encounter, no delay long enough to weary him out. From every defeat he rose, like Antæus from the mother-earth, strengthened for another trial. Once having fixed his eye upon an object to be acquired, he never lost sight of it. The prize at which he aimed might repeatedly elude his grasp, but he pursued it none the less steadily and persistently. His success was remarkable, when we consider his lowly origin, and the hindrances he every where had to meet.

What were Lyon's abilities as a speaker, it is not easy to determine, save that he was a ready and frequent debater. The reports of his speeches, which come down to us, are too brief and fragmentary to form the basis of an opinion as to their merits.

Of his abilities as a writer, there is more abundant evidence. The extant productions of his pen are quite numerous, and show him to be master of a good English style, clear, racy, and idiomatic. He held the pen of a ready writer, and was fond of using it. If occasion required, and it seemed to require quite often, he could handle the weapons of invective almost as murderously as Junius. His letters to John Adams, to William Duane, and to Elias Curtis, are worth reading by all who wish to know the full powers of the English language. His addresses to his constituents, at various times, will also repay perusal. There are frequent sentences in them which have the terseness and pungency of epigrams. He was never lavish in the use of words, but gave his readers an idea in every sentence.

The career of Lyon furnishes another illustration of the value of republican institutions. In no other country but this, could the poor Irish boy, leaving home without a penny, and sold to pay his passage money, have risen to such positions and maintained himself so well in them. There were discreditable circumstances, it is true, in his life. In whose life are there not some? They were occasioned, for the most part, by infirmities which were incident to his national character, and aggravated by the savage opposition he so often had to encounter. That, in spite of those circumstances, he succeeded so well, is to be set to the credit of our free institutions; institutions which we, more favorably circumstanced than he, ought to prize all the more highly, because to all persons, however differently situated, unfortunate or prosperous, Irish or American, low-born or high-born, they offer alike a home, a field for usefulness, and an opportunity to gain distinction.

THE MARBLES OF VERMONT.

AN ADDRESS

PRONOUNCED OCTOBER 29, 1858,

BEFORE THE

VERMONT HISTORICAL SOCIETY,

IN THE PRESENCE OF

THE GENERAL ASSEMBLY OF VERMONT ;

BY

ALBERT D. HAGER.

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